



# LIPSITZ & McALLISTER, LLC

— INTELLECTUAL PROPERTY ATTORNEYS —

BRADFORD GREEN, BUILDING 8  
755 MAIN STREET  
MONROE, CONNECTICUT 06468

BARRY R. LIPSITZ  
DOUGLAS M. McALLISTER

TELEPHONE: (203) 459-0200  
FACSIMILE: (203) 459-0201

In re Application of: **Kaye, et al.**  
Application No.: **09/837,496**  
Filed: **April 18, 2001**  
For: **PRE-PROCESSING OF BIT RATE ALLOCATION IN A  
MULTI-CHANNEL VIDEO ENCODER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Art Unit: **2613**  
Examiner: **A. Wong**

Sir:

Transmitted herewith is:

- [X] A Response in the above-identified application (5 pages);
- [X] Return receipt postage prepaid postcard;
- [X] I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450** on **March 28, 2005**.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Very truly yours,

Douglas M. McAllister  
Attorney for Applicant(s)  
Registration No. 37,886  
Lipsitz & McAllister, LLC  
755 Main Street  
Monroe, Connecticut 06468  
(203) 459-0200

Attorney Docket No.: **GIC-521.1**



1 Fm 2613  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kaye, et al. )  
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Signature: Carol Prentice  
Carol Prentice

RESPONSE

Dear Sir:

This Response is responsive to the Office Action mailed on January 3, 2005. Claims 25-92 are pending. Claims 69-92 are allowed.

Claims 25-29, 31, 32, 36-40, 42, and 43 are rejected under 35 U.S.C. § 102(e) as being anticipated by Balakrishnan (US 5,793,425).

Claims 30 and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Balakrishnan in view of Paik (U.S. 5,321,725).

Claims 33 and 44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Balakrishnan in view of Fling (U.S. 4,630,098).

Claims 34, 45, 47-52, 54, 55, 57-63, 65, 66, and 68 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Balakrishnan in view of Shen (U.S. 5,862,140).

Claims 35 and 46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Balakrishnan.